



2026:AHC:32432

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 2177 of 2026

Prabhu Dyal Patel

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Gauri Shankar Yadav
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Gauri Shankar Yadav, learned counsel for the writ petitioner and Sri Gaurav Singh, learned Standing Counsel for the State.

2. The writ petitioner claims to have been initially appointed as a Daily Wager in Class IV post on 01.01.1981. According to him, he was regularized on 29.07.2003 and joined the post in substantive capacity. He claims pensionary benefits in light of the judgment in Prem Singh vs. State of U.P., Civil Appeal No.6798 of 2019 decided on 02.09.2019.

3. Sri Gaurav Singh, learned Standing Counsel has invited attention of the Court towards page-103 of the paper-book so as to contend that the writ petitioner was appointed on 30.09.2011, which is post operation of the New Pension Scheme. He, however, submits that the claim of the writ petitioner needs adjudication at the first instance by Respondent no.3.

4. Considering the submissions so made across the Bar, the writ petition stands **disposed of** directing the writ petitioner to prefer a comprehensive representation along with self attested copy of the writ petition and the certified copy of the order before Respondent no.3, who on the said motion shall proceed to consider the claim of the writ petitioner strictly in accordance with law within a period of two months, from the date of production of certified copy of the order

February 13, 2026

N.S.Rathour

(Vikas Budhwar,J.)